



TOWN OF LOOMIS
ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS TOWN HALL,
6140 HORSESHOE BAR ROAD, SUITE K
LOOMIS, CA 95650

TUESDAY	MARCH 11, 2008	7:00 P.M.
CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR. Pursuant to Section 54956.9 of the Government Code: Property: - APN 044-007-064, 044-008-030 and 044-012-055 (Union Pacific Railroad property Beginning at Loomis Station and running southwest toward Sierra College Blvd. and from Webb Street to King Road) Agency Negotiator: Perry Beck, Town Manager Under Negotiation: price and term		
b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR. Pursuant to Section 54956.9 of the Government Code: Property: - APN 044-123-057 and 044-123-069 (Homewood Lumber property at Sierra College Boulevard And Brace Road) Negotiator: Perry Beck, Town Manager Under Negotiation: price and term		
TUESDAY	MARCH 11, 2008	7:30 P.M.

CALL TO ORDER Call to Order by Mayor Kelley at 7:44 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Kelley
Councilmember Millward
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.
- b. No action taken.

MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Ucovich thanked Valley Rock and the Mayor for the Arbor Day celebration.

Councilmember Millward stated the following:

- a resident had to pay for a variance, because of the setbacks, just to put solar power on his property
- he would like to put in place regulations that will help residents put solar on their property without having to go through a variance
- asked staff to research this item to see what we could do to promote more solar systems in the Town and come back on another agenda

Councilmember Scherer stated the following:

- Council is responsible to insure that we have fair and open elections in the Town
- there was a transgression in the last election and a letter was sent out from the Fair Political Practices Commission
- he would like to have the letter put on the agenda next month so we can discuss the issues

Mayor Kelley stated the following:

- recently he witnessed a bicycle being hit between the freeway exit on the south side and the stop sign at Horseshoe Bar Road
- he has seen children and citizens carrying groceries along the roadway and there is no place to walk
- he would like to have this on a future agenda to discuss addressing this issue

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.

No public comment.

Perry Beck, Town Manager, asked Council if they would attend a meeting on March 31st at 4:00 p.m. at Town Hall to go through a public hearing process for CDBG money.

Council agreed.

ADOPTION OF AGENDA A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

No public comment.

A motion was made to adopt the Consent Agenda pulling item 6 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

CONSENT AGENDA

1. Council Minutes – 2/12/08, 1/28/07
2. Monthly Check Register – February
3. Statement of Activity
4. Treasurer's Report
5. Planning Status Report

RECOMMENDED ACTION

APPROVE

RECEIVE AND FILE

RECEIVE AND FILE

RECEIVE AND FILE

RECEIVE AND FILE

CONSENT ITEMS FORWARDED

6. Contract With The Local Government Commission (LGC) In Association With Mogavero Notestine Associates For The Design Work That Will Be Needed For The Village, Marketplace To be Paid on an Hourly Basis APPROVE

Councilmember Millward questioned what the consultant is for.

Kathy Kerdus, Planning Director, pointed out the following:

- the consultants will be working for the Town
- they will be reviewing the architectural design and the public communications for the Village and the Marketplace
- they will be paid by the Developer

No public comment.

Following further discussion on the matter, a motion was made to authorize the Town Manager to sign a contract with LGC in association with MNA for the design work that will be needed for the Village and Marketplace to be paid on an hourly basis. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

PUBLIC HEARING

7. Fence and Wall Regulations (Continued from February 12, 2008) TC 10/10/06
Consider proposed draft Zoning Ordinance revisions for entire Town of Loomis regarding Fence and Wall regulations
Recommended action: Review brochure showing proposed revisions highlighted in yellow and if only minor revisions to the brochure is made then hold first reading of proposed ordinance by title only, waiving reading.
Public hearing:

Jean Wilson, 4301 Barton Road, stated the following:

- there are a few circumstances that deserve some consideration for a short sound wall, where a house may be close to the road
- it should require a noise study and probably landscaping in front of the wall

Council discussed the following changes:

- remove hedge from the following: additional height for a fence, wall, and berm may be allowed through Design Review approval
- fences, walls, and berms on the side property lines may not exceed a total of 3' in RA, RE and RR zones
- Entry structure: a maximum 25' deep entry and 30' wing walls (so a car can drive in and have room to wait)
- On a corner lot: a fence over 4' tall in the 20' sideyard area adjacent to the street, must be placed a minimum of 3' back of sidewalk if sidewalk exists

Regarding "Solid walls are discouraged in Loomis section" (page 17 of the staff report) a motion was made that this section would stand as it is, allowing a sound wall by minor use permit, with the provision that it would only apply to those lots having a residence as of the date of adoption of the ordinance. On motion by Councilmember Millward, seconded by Councilmember Morillas and passed by voice vote, with Councilmembers Scherer and Ucovich voting no.

Recess at 8:45 p.m. to 8:50 p.m.

8. Appeal of Aunt Cynthia's Bed and Biscuit Modification to Conditional Use Permit TC 2/12/08
(Continued from February 12, 2008)
Councilmember Millward has appealed a Planning Commission decision to approve a Modification to a Conditional Use Permit and Design Review approval to allow expansion of the operation of an animal kennel at 3190 Swetzer Road
Recommended action: Continue to April 8, 2008 Council meeting
Public comment:

Continued to April 8, 2008.

BUSINESS

9. **Development Impact Fee Adjustments**

Town development fees that fund public works (streets, drainage, parks, open space and buildings) should be adjusted as called for in the original ordinance that approved the last fee update in August 2005

Recommended action: Determine whether to use alternative 1 or 2 and approve development fee adjustments as detailed in the consultant report

Public comment:

Tom Sinclair, Financial Consultant, expounded on the development fee adjustments and answered questions.

No public comment.

Council discussed the following:

- they questioned the price of the land values
- the figures were done when the price of land values were extremely high
- today the land values are lower
- disagree with increasing the land costs at this time

Following further discussion on the matter, a motion was made to adopt Resolution 08-06, revising development impact fees based on charges only in construction costs as reflected by the Engineering News Record Construction Cost Index; deleting revisions in Section 3 b. and c. (in alternative 1); keeping the existing fees (Resolution 05-33) in place for the Quimby In-lieu/Park Acquisition and Passive Park/Open Space Acquisition schedule; and deleting the land costs and the percentage change in sales prices of vacant land. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

10. **Current Service Fee Adjustments**

The Town current service fees that help pay for various user driven services and processes That are prepared by the Town should be adjusted for inflation as called for in the original Ordinance that approved the last fees in August 2006

Recommended action: Approve current service fee adjustments as detailed in the consultant Report

Public comment:

Tom Sinclair, Financial Consultant, expounded on the current service fee adjustments and answered questions.

Miguel questioned the tree removal permit fee.

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 08-07, revising fees for Planning, Public Works and general Administrative Services and to direct staff to review the tree issues to bring back. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

11. **Brown Act Refresher**

Various developments are being proposed in the Town, agreements will be negotiated and hearings will be conducted, so it is timely to review Brown Act requirements

Recommended action: Hear Town Attorney presentation and ask questions

Public comment:

Dave Larsen, Town Attorney, gave the presentation and answered questions.

12. **2008/09 Goals and Budgeting** (Continued from February 12, 2008)

TC 1/8/08

Identify goals and projects to develop the 2008/09 budget

Recommended action: Discuss and identify goals and projects not listed, and determine priorities under each broad caption

Public comment:

Continued to April 8, 2008.

COMMITTEE REPORTS

13. Placer County Economic Development Commission – Ucovich
14. Placer County Flood Control/Water Conservation District – Morillas
15. Placer County Transportation Planning Agency – Kelley/Millward

16. Placer County Mosquito Abatement – Ucovich
17. Placer County Air Pollution Control District – Millward/Ucovich
18. Placer County Community Services Commission - Millward
19. Sacramento Area Council of Governments – Scherer/Kelley
20. Placer Land Trust ex-officio representative - Scherer

ADJOURNMENT

Mayor Kelley stated there was no further business and adjourned at 10:15 p.m.



Mayor



Town Clerk